

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SAVE OUR RECREATION, et al.,

Plaintiffs,

v.

DEPARTMENT OF THE INTERIOR, et al.,

Defendants.

Case No. [16-cv-01724-JD](#) (JSC)

**ORDER FOLLOWING SETTLEMENT
CONFERENCE**

At the in-person settlement conference held on July 19, 2016, the parties agreed as follows:

1. Defendants agree that the rule at issue in this lawsuit will not go into effect any earlier than March 1, 2017.

2. The parties agree to meet in person with the Court on August 23, 2016, September 16, 2016 and October 14, 2016, with further monthly conferences to be scheduled as needed. Each meeting/settlement conference will commence at 9:30 a.m. in Courtroom F, 450 Golden Gate Avenue, San Francisco unless otherwise ordered.

3. Defendants agree to produce the next group of Shirwin Smith documents by August 1, 2016 and to complete production of the Smith documents by August 31, 2016.

4. Defendants agree to run the broad “dog” “dogs” search on the following three custodians: Howard Levitt, Michael Savidge, and Chris Powell.

5. At the August 23, 2016 meeting, if not before, Defendants shall provide Plaintiffs with the results of their searches of the Levitt, Savidge, and Powell documents in terms of the number of “hits” following de-duplication and de-nisting. By that date Defendants shall also propose a production schedule for those documents. The parties will endeavor to agree to a production schedule at the August 23, 2016 conference.


1 6. Defendants have asked Plaintiffs to commit to seeking documents from no more
2 than 10 custodians. Plaintiffs are committed to reducing the number of custodians they originally
3 sought documents from and agree that the search terms for any custodians in addition to Smith,
4 Levitt, Savidge and Powell will be narrower than the “dog” “dogs” search. The parties will
5 address Defendants’ request for a hard limit on the number of custodians at the August 23
6 conference.

7 7. With regard to the locally-archived inaccessible Lotus Notes emails, Plaintiffs have
8 offered to pay for a technical expert to further explore whether the emails can be retrieved.
9 Defendants shall respond to this request during or before the August 23, 2016 conference.

10 8. If Plaintiffs have questions/concerns regarding any redactions on produced
11 documents, they will email Defendants with the bates number of the document and the pertinent
12 questions. Defendants will respond as quickly as possible by email or telephone, and, in any
13 event, shall be prepared to discuss the redactions at the next scheduled in-person meeting provided
14 Plaintiffs gave Defendants sufficient advance notice of the redactions at issue.

15 **IT IS SO ORDERED.**

16 Dated: July 25, 2016

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20 JACQUELINE SCOTT CORLEY
21 United States Magistrate Judge
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